

SENATE BILL 456

By Black

AN ACT to amend Tennessee Code Annotated, Title 37,
Chapter 1, relative to mental health examinations
of juveniles.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 37-1-150, is amended by deleting subdivision (a)(1) and substituting instead the following:

(a)(1) The cost of medical and other examinations and treatment of a child that is ordered by the court, excluding mental health examinations or evaluations when such examinations or evaluations have been ordered by the juvenile court judge for a child charged with commission of an offense that would be a felony if committed by an adult;

SECTION 2. Tennessee Code Annotated, Section 37-1-150(b), is amended by deleting the subsection in its entirety and substituting instead the following:

(b) The cost of transporting a child who has been committed to a state correctional institution on an offense that would be a felony if committed by an adult would be paid by the state. The cost of transportation of a child to and from the nearest state mental hospital for mental examination or evaluation when such examination or evaluation has been ordered by the juvenile court judge for a child charged with commission of an offense that would be a felony if committed by an adult, the cost of such an examination or evaluation, and the cost incidental to such an examination or evaluation will be paid by the state; otherwise, the city or county will bear the cost.

SECTION 3. Tennessee Code Annotated, Section 37-1-150(d), is amended by redesignating the current subsection (d) as subdivision (d)(1) and adding the following language as a new subdivision:

(d)(2) If, after due notice to the parents or other persons legally obligated to care for and support the child, and after affording them an opportunity to be heard, the court finds that they are financially able to pay all or part of the costs and expenses of the mental evaluation or examination of the child, which have been paid for by the state pursuant to subsection (b), the court may order them to pay the costs and prescribe the manner of payment. Unless otherwise ordered, payment shall be made to the clerk of the juvenile court for remittance to the person to whom compensation is due, or if the costs and expenses have been paid by the state to the appropriate officer of the state.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.